

AMENDED

Serial No. 56055

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. MAR 25 1991  
 Returned to applicant for correction. MAY 1 - 1991  
 Corrected application filed. MAY 16 1991 Map filed MAY 16 1991 under 56053

The applicant. Black Beauty Gold, Inc.  
 P. O. Box 312 of Evansville  
 Street and No. or P.O. Box No. City or Town  
 Indiana 47702 hereby make application for permission to change the  
 State and Zip Code No. Place of Use  
 Point of diversion, manner of use, and/or place of use  
 Permit 52620  
 of water heretofore appropriated under Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and  
 identify right in Decree.

- The source of water is. Fire Creek  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed. 1.0 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for. Mining, Milling and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for. Mining, Milling and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point. SW 1/4 NE 1/4 of Section 22, T 30 N, R 47 E,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
 MDB & M., at a point from which the NE corner of said Section 22 bears N 62° 15' 00" E, 2830.00 feet.
- The existing permitted point of diversion is located within. SAME AS ABOVE  
If point of diversion is not changed, do not answer.
- Proposed place of use. All of Sections 14, 15, 22, 23 and 24, T 30 N, R 47 E,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
 MDB & M.
- Existing place of use. NE 1/4 of Section 22, T 30 N, R 47 E, MDB & M.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from. January 1 to. December 31 of each year.  
Month and Day Month and Day
- Use was permitted from. January 1 to. December 31 of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be pumped from Fire Creek to  
State manner in which water is to be diverted, i.e. diversion structure,  
 a Storage Tank; then distributed through pipelines.  
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works. \$30,000
- Estimated time required to construct works. 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

As per the terms of permit 52620, the combined duty of water under Permits 52619, 52620 and 52621 shall not exceed 150.32 million gallons annually.

HIGH DESERT Engineering, Agent  
By s/ Robert E. Morley  
Robert E. Morley  
515 South Fifth Street  
Elko, NV 89801

Compared am/se am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Fire Creek as heretofore granted under Permit 52620 is issued subject to the terms and conditions imposed in said Permit 52620 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 56053, 56054 and 56055 shall not exceed 150.32 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 42.26 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 9, 1993

Proof of completion of work shall be filed before April 9, 1993

Application of water to beneficial use shall be made on or before March 9, 1995

Proof of the application of water to beneficial use shall be filed on or before April 9, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my  
office, this 9th day of April

A.D. 19 92

*[Signature]*  
State Engineer

WITHDRAWN BY APPLICANT MAY 17 1999  
*[Signature]* STATE ENGINEER